

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference R9103WO	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/FR2004/001900	International filing date (day/month/year) 16.07.2004	Priority date (day/month/year) 18.07.2003
International Patent Classification (IPC) or national classification and IPC H04L27/26, H04L25/02, H04B7/005		
Applicant TDF		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																									
<p>4. This report contains indications relating to the following items:</p> <table><tr><td><input checked="" type="checkbox"/></td><td>Box No. I</td><td>Basis of the report</td></tr><tr><td><input type="checkbox"/></td><td>Box No. II</td><td>Priority</td></tr><tr><td><input type="checkbox"/></td><td>Box No. III</td><td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td></tr><tr><td><input type="checkbox"/></td><td>Box No. IV</td><td>Lack of unity of invention</td></tr><tr><td><input checked="" type="checkbox"/></td><td>Box No. V</td><td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VI</td><td>Certain documents cited</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VII</td><td>Certain defects in the international application</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VIII</td><td>Certain observations on the international application</td></tr></table>		<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand	Date of completion of this report																								
Name and mailing address of the IPEA/EP	Authorized officer																								
Facsimile No.	Telephone No.																								

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
 - ☐ international search (Rule 12.3 and 23.1(b))
 - ☐ publication of the international application (Rule 12.4)
 - ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):
 - ☐ the international application as originally filed/furnished
 - ☒ the description:
 - pages 1-12 _____ as originally filed/furnished
 - pages* _____ received by this Authority on _____
 - pages* _____ received by this Authority on _____
 - ☒ the claims:
 - nos. 1-14 _____ as originally filed/furnished
 - nos.* _____ as amended (together with any statement) under Article 19
 - nos.* _____ received by this Authority on _____
 - nos.* _____ received by this Authority on _____
 - ☒ the drawings:
 - sheets 1/4-4/4 _____ as originally filed/furnished
 - sheets* _____ received by this Authority on _____
 - sheets* _____ received by this Authority on _____
 - ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	<u>7, 10</u>	YES
	Claims	<u>1-6, 8, 9, 11-14</u>	NO
Inventive step (IS)	Claims	<u></u>	YES
	Claims	<u>1-14</u>	NO
Industrial applicability (IA)	Claims	<u>1-14</u>	YES
	Claims	<u></u>	NO

2. Citations and explanations (Rule 70.7)**1. Documents**

1.1 In the present report, reference is made to the following documents cited in the search report:

D1: EP-A-0 762703 (TELEDIFFUSION FSE ;FRANCE
TELECOM (FR)) 12 March 1997 (1997-03-12);

D2: EP-A-1 320 232 (TEXAS INSTRUMENTS INC)
18 June 2003 (2003-06-18).

2. Novelty and inventive step - PCT Article 33(2) and 33(3)

2.1 The present application does not fulfil the requirements set forth in PCT Article 33(1) because the subject matter of **claims 1 and 14** does not comply with the requirement of novelty defined in PCT Article 33(2).

In accordance with the terminology in **claim 1** of the present application, **document D1** describes

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(the references between parentheses apply to said document) :

a method for estimating a propagation channel consisting of a series of multicarrier signal symbols (the abstract, lines 1-9) each of which includes at least one reference pilot (page 5, lines 16-19), and a plurality of data-carrying frequencies (page 5, lines 20-23), said method being characterised in that it includes at least one step of correcting said reference pilot(s) (page 8, lines 22-24; figure 8, unit 311) on the basis of a first estimation of a propagation channel (page 8, lines 20-21; figure 3, units 315 and 316) and in such a way that a second, more accurate, estimation of said channel is supplied (figure 3, signal 312).

It follows that the subject matter of **claim 1** is not novel (PCT Article 33(2)).

- 2.2 The same line of reasoning applies *mutatis mutandis* to the subject matter of **claim 14**.
- 2.3 The subject matter of **claims 1 and 14** is also described in **document D2**, paragraphs 35-37 and figure 3.
- 2.4 Dependent **claims 2-13** do not contain any additional features which, in combination with the features of **claim 1**, are novel or involve an

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inventive step.

The subject matter of **claim 2** is described in **document D1**, page 8, lines 20-21.

The subject matter of **claims 3-5** is described in **document D1**, page 5, lines 41-50.

The subject matter of **claim 6** is very vague and is, therefore, described in **document D1**, page 5, lines 41-50.

The subject matter of **claim 7** is not inventive because it is part of the routine practice of rejecting low-quality measurements during error evaluation.

The subject matter of **claims 8-9** is described in **document D1**, page 6, lines 10-21.

The subject matter of **claim 10** is not inventive because using the pulse response peak to achieve time synchronisation is a technical step well known to a person skilled in the art.

The subject matter of **claim 11** is described in **document D1**, page 6, lines 10-21.

The subject matter of **claim 12** is described in **document D1**, figure 3, units 316 and 311.

The subject matter of **claim 13** is described in

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document D1, page 2, lines 7-12 and page 6, lines
10-21.